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Q1

Contact information:

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Q2

Please comment on the Elk Hunting Access Agreements ARM

Hi I did not know where to put this comment. I was a resident of Montana for 76 years. now in Nebraska. I appreciate the "come home to hunt" license - however I feel the license at about 50% of normal out of state fees is still above what retired former residents can pay. I would like to see the license fee for former residents at about \$150. Please take this into consideration. thank you. Don Parsons 308-230-1166 Also, I don't understand why there needs to be a relation accompanying me.

#2

COMPLETE

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Q1

Contact information:

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Q2

Please comment on the Elk Hunting Access Agreements ARM

Elk Hunting Access (EHA) Agreements ARM

September 19th, 2023

Chair Robinson, Commissioners -

On behalf of the Montana Chapter of Backcountry Hunters & Anglers, we submit these comments re: the Contractual Public Elk Hunting Access Agreements (EHA) Administrative Rules of Montana (ARM).

The Elk Hunting Access Agreements are agreements made between the public and landowners to achieve elk herd management goals. The public agrees to provide landowners and their designees with additional above quota either-sex elk permits in return for an opportunity for members of the public to hunt those private lands.

We would like to thank the Department and the Commission for continuing to take a close look at the Elk Hunting Access Agreements (EHAs) and the administrative language managing them in an effort to ensure accurate and up-to-date regulations are in place. Most of the changes we see before us today do that.

While we certainly have some suggestions on how to better implement these EHAs as effective management tools that offer public opportunity, what's before us today is simply the chance to comment on existing law and corresponding rulemaking.

So with that in mind, we encourage the Department to define what constitutes a 'full-time employee' and what constitutes as 'occupied elk habitat' and 'successful public hunting.' With the latter two left undefined, we find it difficult to evaluate performance of this elk management tool. Despite the existing "occupied elk habitat" requirement, many of the comments from public hunters in 2022 claim there were no elk present when hunting these EHAs. We encourage the Department and Commission to define "occupied elk habitat" with a recognition that 87-2-513 and HB 596 provide for free public hunting "throughout the regular hunting season," not just the shoulder seasons. Targeting areas occupied by elk and giving the public reasonably high chances of success will only help increase harvest rates and achieve program goals.

Additionally, we commend the approach that requires the Department to present the Commission with all complete elk hunting access applications, draft EHA agreements, and hunter/landowner satisfaction data from the prior year, we ask that this data is presented in a way to better help determine the program's effectiveness of this elk management tool. We'd look for this data to be included in the agreement-level report to gauge individual agreement effectiveness, but also program wide to gauge the overall program effectiveness:

- 1) total number of landowner participants, hunter days, harvest info (age, sex) of elk killed by landowners, overall success rate
- 2) total number of landowner designees participated, days allowed to hunt, harvest info (age, sex) of elk killed by landowner designees, overall success rate
- 3) total number of public hunters selected by FWP, days allowed to hunt, harvest info (age, sex) of elk killed by public hunters selected by FWP, overall success rate

This information, provided in this manner, will paint a much clearer picture on the success of the program, and allow the public and the Commission to evaluate it and the individual agreements accordingly, per the intent of the law.

With these suggestions taken into consideration, we support the Commission instructing the department to file an administrative rule notice with the secretary of state to remove outdated and unnecessary language and ensure the ARMs are consistent with current practices and statutory requirements.

Thank you for the opportunity to comment.

Sincerely,

Kevin Farron, Regional Policy Manager
Montana Chapter of Backcountry Hunters & Anglers

